

**REMARKS**

The new claim 18 added above is copied from, and is intended to correspond exactly to, claim 4 of U.S. Pat. No. 6,084,899 issued July 4, 2000 to Shakuda. This claim is being copied into the present application to ensure compliance with 35 U.S.C. § 135(b). The Applicants suggest that an appropriate Count would read:

Count 1. A semiconductor light emitting device comprising:

an n-type clad layer consisting of a gallium nitride based compound semiconductor;

an active layer consisting of a gallium nitride based compound semiconductor, said active layer being made from a material having a band gap energy smaller than that of said n-type clad layer;

a p-type clad layer consisting of a gallium nitride based compound semiconductor, said p-type clad layer being made from a material having a band gap energy greater than that of said active layer, and sandwiching said active layer accompanying with said n-type clad layer,


wherein said materials of said n-type clad layer and said p-type clad layer are selected so as to make a band gap energy of said n-type clad layer smaller than the band gap energy of said p-type clad layer.

The Applicants further submit that claim 18 of the present application and at least claim 4 of U.S. Pat. No. 6,084,899 would correspond to the proposed Count. The Applicants also submit that they would expect the remaining claims of U.S. Pat. No. 6,084,899, claims 1-3 and 5-45, would be designated as corresponding to the Count.

If any questions remain, the Examiner is respectfully invited to contact the undersigned.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 

Gregory P. Brummett

Reg. No.: 41,646

Tel. No.: (703) 905-2024

Fax No.: (703) 905-2500

GPB:gp  
1600 Tysons Boulevard  
McLean, Virginia 22102  
(703) 905-2000

Attachment: Appendix page 5

**APPENDIX**  
**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

Claim 18 is new.

**END OF APPENDIX**